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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDGAR RAFAEL NAVARRO CHAVOYA,

Defendant.

CASE NO. 1:21-CR-00314-JLT-SKO

STIPULATION TO CONTINUE HEARING DATE,
SET CHANGE OF PLEA HEARING; FINDINGS
AND ORDER

DATE: April 10, 2023
TIME:
COURT:

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a motion hearing on April 10, 2023.
2. By this stipulation, both parties now move to continue the motion hearing until April 24, 2023 at 10:00 AM.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) Both parties agreed to a briefing schedule in this case that was subsequently approved by the Court. As part of this stipulation, time was excluded through April 10, 2023
 - b) Defense counsel filed a motion to dismiss in this case on February 13, 2023.
 - c) Government counsel is no longer available on April 10, 2023 due to a subsequently calendared argument in front of the Ninth Circuit.
 - d) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*, within which trial must commence, the time period of April 10, 2023 through April 24,

2023 inclusive, is deemed excludable pursuant to 18 U.S. C. § 3161(h)(1)(D) and 3161(h)(7)(A) and (B)(iv).

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: February 15, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ ALEXANDRE DEMPSEY
ALEXANDRE DEMPSEY
Assistant United States Attorney

Dated: February 15, 2023

/s/ ERIN SNIDER
ERIN SNIDER
Attorney for Defendant
EDGAR RAFAEL NAVARRO
CHAVOYA

[PROPOSED] FINDINGS AND ORDER

IT IS SO FOUND that for the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of April 10, 2023 through April 24, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. §§ 3161 (h)(1)G), 3161(h)(7)(A), and 3161(h)(7)(B)(i) and (iv). At the request of the parties, the April 10, 2023 motion hearing in the above case is CONTINUED until April 24, 2023 at 10:00 AM.

IT IS SO ORDERED.

Dated: **February 15, 2023**


UNITED STATES DISTRICT JUDGE